



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Review Cost Report of Weed Abatement

MEETING DATE: June 19, 1996

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That following a public hearing regarding the matter, the City Council adopt the attached resolution confirming the cost of weed abatement and provide for collection through the San Joaquin County Auditor's office.

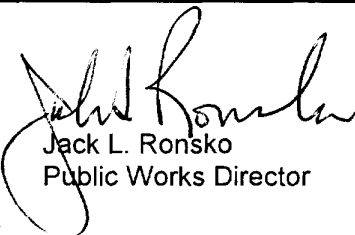
BACKGROUND INFORMATION: Several months ago, the City Council initiated weed abatement proceedings on five parcels which contained tumbleweeds. The property owners were notified according to the Government Code and a public hearing was held on March 20, 1996 to hear any objections to the removal of the weeds. No objections were received at that public hearing and the Street Superintendent was ordered to abate the nuisance declared by Resolution 96-08. Shortly after the public hearing on March 20, all but two of the parcels were cleared of tumbleweeds by the owners. The other two parcels were cleared by the City.

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. At the time fixed for receiving and considering the report, the legislative body shall also hear any objections of the property owners liable to be assessed for the abatement.

It is recommended that, after the public hearing, the City Council adopt the attached resolution confirming the cost of weed abatement and provide for collection through the San Joaquin County Auditor's office if the assessment is not paid by the owner prior to the date it must be filed with the County Auditor.

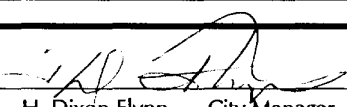
REPORT OF COST OF ABATING WEEDS	
Property Address	Cost
804 Black Diamond Way (APN 049-170-22)	\$192.50
810 Black Diamond Way (APN 049-170-21)	\$192.50

FUNDING: None required.


Jack L. Ronko
Public Works Director

Prepared by Sharon Blaufus, Administrative Assistant
JLR/SB/lm
attachment
cc: Street Superintendent
John Donovan
City Attorney

APPROVED: _____


H. Dixon Flynn -- City Manager

RESOLUTION NO. 96-81

A RESOLUTION OF THE LODI CITY COUNCIL
CONFIRMING THE COST OF WEED ABATEMENT (TUMBLEWEEDS)
FOR 1996 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost
of Weed Abatement (Tumbleweeds) for 1996 and
Providing for the Collection on
the Regular Tax Bill

RESOLUTION NO. 96-81

The City Council adopted Resolution No. 96-08 on February 7, 1996 electing to proceed under Government Code Section 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 96-23 on March 20, 1996 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 96-08 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 96-23 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made

by the property owner liable for assessment for the abatement and the report as set forth below is confirmed:

REPORT OF COST OF ABATING WEEDS	
Property Address	Cost
804 Black Diamond Way (APN 049-170-22)	\$192.50
810 Black Diamond Way (APN 049-170-21)	\$192.50

(2) Cost of the abatement as set forth above constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: June 19, 1996


I hereby certify that Resolution No. 96-81 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 19, 1996, by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk

CITY COUNCIL

DAVID P. WARNER, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6842

H. DIXON FLYNN
City Manager
JENNIFER M. PERRIN
City Clerk
RANDALL A. HAYS
City Attorney

June 11, 1996

Mr. John Donovan
P. O. Box 456
Lodi, CA 95241

SUBJECT: Public Hearing to Review Cost Report of Weed Abatement


Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, June 19, 1996, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

The Council will conduct a public hearing on this item. You are welcome to attend and speak at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to the City Clerk at 305 West Pine Street.

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Blaufus at (209) 333-6706.



Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk

0119



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 19, 1996

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

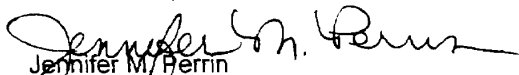
NOTICE IS HEREBY GIVEN that on **Wednesday, June 19, 1996** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Review of Cost Report of weed abatement and to hear any objections of the property owners liable to be assessed for this abatement.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

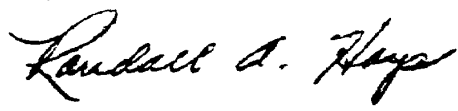
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: June 5, 1996

Approved as to form:


Randall A. Hays
City Attorney



DECLARATION OF MAILING

Public Hearing: Weed Abatement

On June 6, 1996 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.


There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 1996, at Lodi, California.

Jennifer M. Perrin
City Clerk

Jacqueline L. Taylor
Deputy City Clerk


Linda S. Nichols
Administrative Clerk

MAILING LIST

John Donovan
225 West Elm Street
Lodi, CA 95240

RE: 804 Black Diamond Way

John Donovan
P. O. Box 456
Lodi, CA 95241

RE: 810 Black Diamond Way